

# Summary & Introduction

## Caseload Reports and Case Type Descriptions

Each quarter, Indiana's trial courts provide caseload information to the Division by filing a Quarterly Case Status Report ("QCSR"). This report contains summary information, by case type, on the number of cases filed and pending, the movement of cases between courts via transfer or venue, and the method by which a case was disposed during a reporting period. Beginning in 2007, the courts will report these statistics online, using INcite, the Division of State Court Administration's website.

In addition to the cases that are being handled by a specific court, the Quarterly Case Status Report tracks the amount of judicial resources available to a court and the time that a judge spends hearing cases in another court. The QCSR also captures other case-related information that can be used to administer and improve court projects and initiatives. For example, data is collected tracking the number of cases referred to alternative dispute resolution or for which pauper counsel was appointed, the number of cases that required the service of a court interpreter and the number of juvenile cases in which a guardian *ad litem*/court appointed special advocate was appointed.

Case information is categorized by case type using the classification code outlined in Indiana Administrative Rule 8(B)(3). Currently, criminal cases are divided into eleven categories, juvenile cases into six categories, and civil cases into sixteen categories. In addition to these case types, an administrative case type called "court business record" was added effective January 1, 2005. Case type designations and categories are as follows:

### CRIMINAL CASE TYPES

If a defendant is charged with multiple offenses, the case is counted only one time under the most serious charge, combining the rest of the charges within the case. Even if the prosecutor later changes the charges, for administrative purposes, a

case continues to be counted under its initial case designation in the statistical reports.

1. **MR - Murder:** All murder cases filed on or after 1/1/2002 are filed under this category. If the State seeks either the death penalty or life without parole that information is reported in Part V of the Quarterly Case Status Report.
2. **CF - Criminal Felony:** This category included all cases filed prior to 1/1/2002 as Murder or Class A, B, and C felonies. Although no new filings are permitted for this category, existing cases with a CF designation are still reported and disposed in this category.
3. **FA - Class A Felony:** All Class A felonies filed on or after 1/1/2002. Examples include kidnapping, voluntary manslaughter with a deadly weapon, and arson involving bodily injury.
4. **FB - Class B Felony:** All Class B felonies filed on or after 1/1/2002. Examples include aggravated battery, rape, child molesting, carjacking, and armed robbery.
5. **FC - Class C Felony:** All Class C felonies filed on or after 1/1/2002. Examples include involuntary manslaughter, robbery, burglary, and reckless homicide.
6. **FD - Class D Felony:** All Class D felonies filed on or after 1/1/2002 plus all Class D felonies filed before 1/1/2002 that have the case type DF. Examples of crimes in this category include theft, receiving stolen property, computer tampering, and fraud.
7. **CM - Criminal Misdemeanor:** This category includes all criminal cases filed as misdemeanors. Examples of crimes in this category are criminal trespass, check deception, harassment, and battery.
8. **PC - Post-Conviction Petition:** This category includes all petitions for post-conviction relief filed under the Post-Conviction Rules.

**9. MC - Miscellaneous Criminal:** This category includes all criminal matters which are not easily classified as felony or misdemeanor and which are not part of an ongoing proceeding. An example of a case falling into this category would be a probable cause hearing in a case not yet filed. When a search warrant is issued before charges are filed, a MC case number is assigned for the search warrant and should be disposed of via a bench disposition. If charges are filed, then a case in the appropriate category should be filed.

**10. IF - Infractions:** Although infractions are technically non-criminal in nature, infractions are reported in the criminal category for the purposes of this report. Infractions are typically traffic-related offenses. Similar to other criminal cases and ordinance violations, multiple offenses (i.e., multiple tickets or citations issued to the same individual or arising from the same circumstances) result in only one case filing.

**11. OV/OE - Ordinance Violations:** These involve local ordinance violations. If an ordinance violation must be enforced through court proceedings, it is given an OV case type. The OE case type is used if the violator will not be charged a filing fee pursuant to Indiana Code 33-37-4-2(d). If found to have violated a non-exempt ordinance, the violator will be assessed the filing fee. Moving traffic violations must be enforced through a court proceeding. A municipal corporation may enforce many ordinance violations, however, without proceeding in court.

The municipal corporation may enforce other ordinances (exempt ordinances) by establishing a violations clerk who accepts the admissions of violation and payment of civil penalties. In the event a violator chooses to challenge an otherwise exempt ordinance, the case is given case type OE and no filing fee is assessed, even if the violator is ultimately unsuccessful.

## JUVENILE CASE TYPES

Each child considered by the court system shall receive a separate cause number, regardless of his or her familial relationship to another child. This requirement is pursuant to state statutes that require each individual child to be considered and addressed

as an individual and not as a family group.

**1. JC - Juvenile CHINS:** This category reflects those cases before the court where a child is alleged to be a child in need of services as defined by I.C. § 31-34-1-1 et. seq. The case is counted as a new filing when a petition for detention hearing or when a request for authority to file a petition alleging that a child is in need of services is filed. Each child should be given a separate case number. Examples include circumstances where the child is not receiving and is unlikely to receive care, treatment or rehabilitation without court intervention.

**2. JD - Juvenile Delinquency:** Cases in which a child is alleged to be a delinquent are filed in this category. I.C. § 31-37-1-2 defines a delinquent act as one that is committed by a child before becoming eighteen (18) years of age and that would be an offense if committed by an adult. The case is recorded as a new filing when a petition for detention hearing or a petition alleging delinquency is filed.

**3. JS - Juvenile Status:** Cases in which a child is charged with committing an offense which would not be a crime if committed by an adult are filed in this category. Examples include curfew violations, school truancy and underage alcohol purchase or consumption.

**4. JP - Juvenile Paternity:** This includes paternity actions filed by any of the parties specified by statute, including the prosecutor. (I. C. § 31-14-4-1 identifies who may file paternity actions.) A support action pursuant to a paternity affidavit would receive a JP classification. Protective orders should not be combined with the JP case type, even if they involve the same parties.

**5. JM - Juvenile Miscellaneous:** This category applies to juvenile matters which are not specifically listed in the previous juvenile case type categories. One example is the approval by the court of an informal adjustment.

**6. JT - Termination of Parental Rights:** This category includes all proceedings for termination of parental rights. In termination of parental rights cases involving multiple children, a separate cause number must be assigned to each child.

## CIVIL CASE TYPES

Civil cases are filed when the plaintiff or petitioner seeks monetary damages or court redress.

1. **CP - Civil Plenary:** This category included all Civil Plenary cases filed before 1/1/2002. Although no new filings are permitted for this category, existing cases with a CP designation are still reported and disposed in this category. Generally, this category covered cases founded in contract, actions dealing with real and personal property, and actions seeking equitable or injunctive relief.
2. **PL - Civil Plenary:** This category included all Civil Plenary cases filed on or after 1/1/2002. Basic civil cases not otherwise specifically included as separate categories are filed with this designation. Generally, these cases may be more complex cases not involving a mortgage foreclosure or the collection of an outstanding debt. Frequently cases involving contract disputes and actions seeking equitable or injunctive relief are assigned this case type.
3. **MF - Mortgage Foreclosure:** All Mortgage Foreclosure cases filed after 1/1/2002 are reported in this category.
4. **CC - Civil Collection:** All Civil Collections filed after 1/1/2002, are reported in this category, and may include the following: proceedings supplemental as an independent action; suits on notes and accounts; general collection suits; landlord/tenant suits for collection; ejectment; and tax warrants. If these cases are filed on the small claims docket of a court or the small claims division of a multi-division court, the SC case type should be used.
5. **CT - Civil Tort:** Cases founded in tort and filed on the regular civil docket of the court are included in this category. Small claims, which also could be founded in tort, are included in a separate category.
6. **SC - Small Claims:** This category includes cases filed on the small claims docket of Circuit, Superior, or County courts, as well as cases filed in the Marion County Small Claims Court. While city and town courts may have cases that fall within the monetary limits of small claims jurisdiction, those cases are not defined as small claims by statute and

must be counted as PL – Plenary or CC – Civil Collection, depending upon the nature of the action. Small claims actions include cases where the amount in dispute is \$6000 or less, landlord-tenant ejectment actions, and landlord-tenant disputes.

7. **DR - Domestic Relations:** Actions involving petitions for dissolution of marriage, legal separation, and petitions to establish child support are filed in this category.
8. **RS - Reciprocal Support:** Actions for reciprocal enforcement of child support (UIFSA) and petitions for modification of support or custody and/or support under the Uniform Child Custody Jurisdiction Act are counted in this category.
9. **MH - Mental Health:** Proceedings involving mental health commitments, including temporary commitments, an extension of temporary commitment, regular commitment, or termination of a commitment, are filed under this category.
10. **AD - Adoption:** Petitions for adoption are filed under this category. Additionally, on or after 1/1/2002, petitions seeking release of adoption records are filed in this category.
11. **AH - Adoption History:** All petitions seeking release of adoption records filed prior to 1/1/2002 received this designation. Although no new filings are permitted for this category, existing cases with an AH designation are still reported and disposed in this category.
12. **ES/EU - Estates:** This category includes both supervised and unsupervised probate of estates. Claims against the estate that are transferred for trial are listed as civil, or CT, matters. However, a dispute over a will is conducted under the estate cause number and the resolution defines the manner in which the estate will be probated.
13. **GU - Guardianship:** Petitions for appointment of guardians are filed under this category. A guardianship case is considered “closed” when the court enters an order appointing and approving the guardianship.
14. **TR - Trusts:** This category includes trust matters before the court. This case type includes trusts that have been created through

an estate and are separately reported from the estate.

**15. PO - Protective Order:** New petitions for protective orders which are not part of an ongoing process (such as a marriage dissolution) are filed in this category. However, if the parties subsequently file a petition for dissolution, the cases remain separate for reporting purposes.

**16. MI - Civil Miscellaneous:** Routine civil matters which are not easily categorized in other areas and which are not part of any other pending litigation may be included in this category. Examples are petitions for name change, appointments of appraisers, petitions for emancipation, a proceeding to reinstate a driver's license that has been administratively suspended, a Habeas Corpus case from DOC, and marriage waivers.

## ADMINISTRATIVE CASE TYPE

**1. CB - Court Business Record:** This category includes non-case specific matters, such as the appointment of a judge pro tem or the appointment of pauper counsel, drawing the jury, adopting or amending local rules, or recording a foreign protective order. The case type assists the court in having reference numbers for court business activities and will promote a smooth transition to the statewide case management system in the near future.

## DISPOSITION CATEGORIES

The Quarterly Case Status Reports also include summary dispositional information. A brief description of the disposition categories is as follows:

- 1. Jury Trial:** This category reflects cases that have been decided by a jury or have gone to the jury. This type of disposition is limited to cases where the jury is seated and sworn and the court has received evidence.
- 2. Bench Trial:** This category reflects cases that were disposed of by the court after a trial in which a witness is sworn. Until 1999, cases in which a trial did not take place were also counted as disposed by bench trial. After 1999, such cases have been included under "bench disposition."

**3. Bench Disposition:** Cases that are disposed by final judicial determination of an issue, but where no witnesses are sworn and no evidence is introduced, should be counted in this category. These dispositions include decisions on motions for summary judgment, hearings on other dispositive motions, and settled cases in which the parties tender an agreed judgment to the court for approval, which can then be enforced through proceedings supplemental to execution. Approval of informal adjustments in juvenile matters and issuance of search warrants unrelated to any pending case also fall into this category. This category was new, and voluntary, during 1999. It became mandatory beginning January 1, 2001.

**4. Dismissed:** This category applies to cases which are dismissed either by the court on its own motion (Trial Rule 41(E)), upon the motion of a party, or upon an agreed entry as the result of settlement between the parties.

**5. Default:** This category applies to civil cases, infractions and ordinance violations, where a party required to respond does not and judgment is entered in favor of the moving party.

**6. Deferred/Diverted:** This category was added in January 2002. If a prosecutor and defendant agree to defer prosecution or for the defendant to enter a diversion program, the case is disposed in this category. Even though the case is not formally dismissed until the completion of the deferral or diversion obligations, this category permits the criminal courts to reduce their pending caseloads by the number of cases where the cases will eventually be dismissed.

**7. Guilty Plea/Admission:** Cases in which the defendant pleads guilty to an offense or admits to the commission of an infraction or ordinance violation are counted under this category. An infraction and ordinance violation case is only reflected in this disposition category if the case actually comes before the court for decision, or the case involves a moving traffic violation, pursuant to Indiana Code 34-28-5-1. Also included in this category are dispositions of juvenile cases where the juvenile admits the claims, or the father admits paternity; and in

protective order cases where a party admits to the claims in the protective order.

- 8. Violations Bureau:** This disposition category reflects infractions and ordinance violations that have been filed in the court but are handled through a violations bureau or payment clerk. Cases counted here include those in which a defendant makes an admission, pleads guilty, or pays a fine through the bureau, through the clerk, or through the mail, rather than in court. However, infractions or ordinance violations that involve moving traffic violations may not be disposed in this category even if the driver pays the ticket/citation, pursuant to Indiana Code 34-28-5-1.
- 9. Closed:** Routine closing of an estate or adoption proceeding, as well as the routine closing or termination of a trust or guardianship are counted in this disposition type. Also included in this category are cases where the defendant has filed bankruptcy or the case is removed to federal court.
- 10. FTA/FTP:** This category includes ordinance violation cases and infraction cases in which the defendants fail to appear or fail to pay. Once counted in this category, the case is not recounted even if the defendant later appears, pays, or proceeds to a full trial.
- 11. Other:** Any case disposition that is not otherwise accounted for in the preceding categories should be included in this category. One example would be a criminal case resolved by the death of the defendant.

## MOVEMENT OF CASES

In addition to cases being filed and disposed, cases may be venued or transferred between courts.

- 1. Venued In/Out:** Cases that have been filed in a court but are moved to another county for any reason should be listed in this category.
- 2. Transferred In/Out:** Cases that are transferred from one court to another within the same county, or from one court docket to another (such as a move from small claims docket to the civil plenary docket), should be recorded here. In the event a motion for change of venue from the judge results in a transfer of the case to another court in the same county, the case should also be counted in this category.